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**RESPONSE UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3739**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sumihito Konishi

Examiner: Philip Robert Smith

Serial No.: 10/792,240

Art Unit: 3739

Filed: March 3, 2004

Docket: 17518

For: ENDOSCOPIC SURGICAL SYSTEM

Dated: May 7, 2007

Conf. No.: 4767

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.116

Sir:

In response to a FINAL REJECTION of the U.S. Patent and Trademark Office mailed on March 7, 2007, please amend the subject application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 11 of this paper.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 7, 2007.

Dated: May 7, 2007

Thomas Spinelli